

REMARKS

Reconsideration and allowance in view of the foregoing amendments and following remarks are respectfully requested.

Claims 1-19 are pending in the Application.

The Examiner indicated that the lengthy specification had not been checked to the extent necessary to determine the presence of all possible minor errors. Therefore, Applicant has amended the specification to correct all minor grammatical and clerical errors discovered.

The Examiner rejected claims 1 and 9 under 35 U.S.C. § 102(b) as being anticipated by Davidovits et al. (U.S. Patent No. 3,643,015). Applicant amended claims 1 and 9 to clarify the intended meaning and to insure that it is not construed to recite any means-plus-function limitations. As clarified by the amendments, the objective frame is housed in the outer frame member. In addition, the objective frame is elastically supported by the outer frame by way of the objective holder. The objective lens is mounted on the optical apparatus by connecting the connecting section of the outer frame member with the optical apparatus.

In contrast, Davidovits merely discloses a device that moves the objective lens 60 along and/or into the optical axis. Davidovits et al. does not disclose the "outer frame member," "objective holder" or "actuator" as recited in claims 1 and 9. None of the references of record teach or suggest the structure recited in claims 1 and 9. Therefore, Applicant respectfully submits that claims 1 and 9 are in condition for allowance and requests that the rejection under 35 U.S.C. § 102(b) be withdrawn.

The Examiner rejected claims 2, 5, 8, 10, 13, 14 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Davidovits et al. The Examiner also rejected claims 3 and 4 and 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Davidovits et al. and further in view of page 25, lines 22-26 of the current Application. The Examiner rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Davidovits et al. in further view of Emmel (U.S. Patent No. 4,483,589). The Examiner rejected claims 6, 15, 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Davidovits et al. in further view of Aizaki et al. (Japanese Published Application JP2001091849A). The Examiner rejected claims 6 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Davidovits et al. in view of Guerra (U.S. Patent No. 6,014,166). The Examiner rejected claims 18 and 19 under 35 U.S.C. § 103(a) as

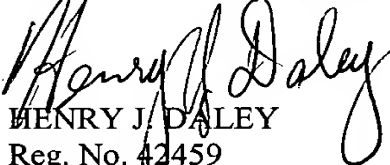
being unpatentable over Davidovits et al. in view of Guerra and further in view of Tomimatsu (U.S. Patent No. 5,870,223). Finally, the Examiner rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Davidovits et al. in view of Hori et al. (U.S. Patent No. 6,191,809 B1). Applicant respectfully submits that the amendments to claims 1 and 9 as indicated above and similar amendments to claim 18 obviate all of these rejections for at least the reasons noted above with respect to claims 1 and 9. All of the obviousness rejections rely upon Davidovits et al. as the primary reference and none of the secondary references cure the deficiencies noted above with respect to Davidovits et al. Consequently, none of the references of record, whether considered individually or combined, teach or suggest all of the limitations recited in claims 1-19. Therefore, Applicant respectfully requests that the rejections of claims 2-8 and 10-19 under 35 U.S.C. § 103(a) be withdrawn.

Applicant respectfully submits that this Application is now in condition for allowance. The Examiner is invited to call the undersigned if it will help resolve any remaining issues.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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